

REMARKS/ARGUMENTS

Applicants thank the Examiner for the telephonic interview of April 26, 2006, between Examiner Lesniewski and Applicants' representative, Chris Hilberg. As suggested in the interview by Examiner, Applicants hereby submit additional arguments regarding one of several arguments previously presented with respect to the 35 U.S.C. § 102 rejection in the present application. As to the outstanding matters regarding 37 CFR § 1.131 declaration and the double patenting rejection, Applicants' responses from the Amendment dated March 31, 2006, are herein incorporated by reference.

Claims 1-70 are pending in this application and are rejected under either 35 U.S.C. § 102 or 35 U.S.C. § 103. For at least the reasons set forth below, Applicants assert that all claims are in condition for allowance.

Rejection under 35 U.S.C. § 102

Claims 1-45, 48-53, 55-59 and 61-70 were rejected under 35 U.S.C. § 102(b) as being anticipated by Filepp et al U.S. 5,347,632. As discussed between Examiner Lesniewski and Applicants' representative, Chris Hilberg, during the telephonic interview of April 26, 2006, Applicants previously asserted and currently develop the argument that the *Filepp* reference fails to describe every element of every claim "*in as complete detail*" as is contained in the claims, as required by MPEP § 2131.

Specifically, independent claims 19 and 45, and dependent claims 2, 54 and 60, recite defining or generating a user interface form based upon or in response to a number of device capabilities for a client device, and independent claims 19, 45, 59 recite "the controls being UI objects provided by the client device operating system or other client-resident application." Not only does *Filepp* fail to teach these limitations, but the Office Action dated January 31, 2006, also asserts the same view:

Filepp...does not say a UI formatting module that generates said UI form definition based upon a number of device capabilities for a client device that includes said client device architecture.

OA dated 1/31/2006, page 13 (emphasis added).

Additionally, a review of *Filepp* reaffirms the position that the reference fails to teach the limitation of defining or generating a user interface form based upon or in response to a number of device capabilities for a client device. *Filepp* discloses the same information and structure for “objects” (*see*, Col. 7, lines 24-25, “There are two types of information in the network which are utilized by the RS 400: objects and messages.”) regardless of the client device capabilities. The reference describes objects that contain “information about what is to be displayed and how it is to be displayed,” but nowhere does the reference teach or suggest that these objects are “based upon” or “in response to” client device capabilities or provided by the client device OS or applications as claimed. *See, e.g.*, Col. 7, lines 24-46; Col. 7, line 64-Col. 8, line 39 (describing the objects of *Filepp* without any indication of correspondence to client device capabilities).

With particular reference to the portions of *Filepp* cited in the Office Action dated January 31, 2006 as teaching this limitation, namely Col. 4, line 60-Col. 5, line 10 (*see* OA dated 1/31/2006, page 7, line 12), *Filepp* describes therein a client device (Reception System (RS) 400) that provides a:

...common interface to other elements of interactive computer network 10...and a common protocol for user application conversation which is independent of the personal computer brand name used. RS 400 thus constitutes a universal terminal for which only one version of all applications on network 10 need be prepared...Objects have a uniform, self-defining format...

As is clear from the portions of *Filepp* cited in the Office Action, not only does the reference fail to describe defining or generating a user interface form based upon or in response to a number of device capabilities for a client device, but, to the contrary, each client device provides a “common interface” such that other elements of the network would have no need to generate user interface forms based on particular client capabilities. Indeed, the objects have a “uniform, self-defining format,” not a format dependant upon a particular client device. This teaching of *Filepp* rather teaches away from the claimed limitation.

In light of the foregoing arguments and in light of the fact that the previous Examiner and Applicants agree that the *Filepp* reference fails to teach this limitation, the rejection is unsupported by the art. For at least these reasons, Applicants respectfully request that the rejection be withdrawn.

Remaining Rejections Under 35 U.S.C. §§ 102 and 103

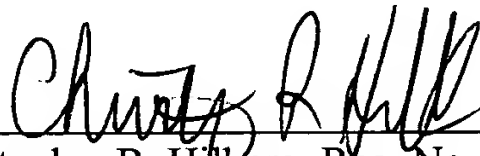
As to the remaining rejections under 35 U.S.C. §§102 and 103, Applicants hereby incorporate the previous arguments from the Amendment dated March 31, 2006. With particular emphasis, Applicants reassert the arguments that the *Filepp* and *Kikinis* references are not properly combinable.

This application now stands in allowable form and reconsideration and allowance is respectfully requested.

Respectfully submitted,

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Date: May 1, 2006

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